

# How Federal Agencies Obtain Technical Resources and Skills from the U.S. Department of Energy

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## INTRODUCTION

Expanding technological requirements and decreasing federal budgets demand the reduction of duplication and more efficient use of federal resources. As evidenced by past successes, the U.S. Department of Energy's network of laboratories and/or technology centers is uniquely qualified to provide immediate scientific support to other federal agencies as they seek to advance their knowledge.

The DOE laboratories and technology centers operate under a special arrangement known as a Management and Operating (M&O) Contract. Through an M&O, the government contracts for the operation, maintenance, or support of a government-owned-or-controlled research, development, special production, or testing establishment (FAR 17.6).

DOE laboratories and technology centers have a long history of excellence in a range of fields, including the basic sciences, applied energy research, and weapons-related technologies. In carrying out its mission, DOE has developed world-class core competencies in technologies that include energy, pollution control and remediation, advanced materials, advanced instrumentation, biotechnology, advanced prototype development, information and communication software, aerospace and transportation, high-performance computing, modeling and simulation, and advanced weapons technologies and sensors.

Congress, through the Economy Act of 1932, recognized the benefit to a federal agency of placing orders for goods and services with another federal agency. Similarly, the Atomic Energy Act of 1954 recognized the benefits of making the laboratories and technology centers available to other federal entities for training and for research and development (R&D) provided private facilities are inadequate for that purpose.

The DOE laboratories and technology centers can apply their resources and skills to the specific needs of other federal agencies through DOE's Work for Others (WFO) program. This brochure briefly outlines the DOE guidelines that govern the WFO program for federal agencies; however, it does not present all relevant laws, regulations, and procedures. There are also other mechanisms available for working with DOE laboratories. Details may vary with the type of work requested.

Further information on the WFO program or other mechanisms can be obtained from any of the DOE offices listed in this brochure.

Generally, U.S. intelligence work follows the same procedures described in this brochure. More specific requirements for support of U.S. intelligence activities are contained in the supplemental brochure, Intelligence-Related Work for Others. To obtain brochures, contact the DOE Office of Energy

Intelligence (NN-30) Work for Others Coordinators at (202) 586-8297 or (202) 586-8718.

Information on the WFO program for non-federal agencies and private customers is included in the brochure, How Private Customers and Non-Federal Governments Obtain Technical Resources and Skills from the Department of Energy. To obtain brochures, contact the DOE Office of Organization and Management (HR-6) Work for Others Program Coordinator at (202) 586-6802 or (202) 586-3299.

## **PROGRAM DESCRIPTION**

The DOE laboratories and technology centers are available to conduct work for other federal agencies on a full cost-recovery basis. Such projects must support the missions of DOE and the laboratory or technology center and may not compete directly with capabilities that are available in the U.S. domestic private sector. Appropriate standards for humane treatment of human and animal subjects are maintained.

## **PROGRAM OBJECTIVES**

- Accomplish research or technology goals that may otherwise be unattainable, and avoid unnecessary duplication of effort.
- Access highly specialized or unique facilities, services, or technical expertise.
- Transfer technologies from DOE laboratories and technology centers to the marketplace for further development or commercialization.
- Maintain core competencies and enhance the science and technology base at DOE facilities.

## **OBTAINING ASSISTANCE FROM THE DEPARTMENT OF ENERGY**

U.S. government agencies can build relationships with DOE laboratories and technology centers to strengthen U.S. technology expertise. DOE manages a major part of the nation's federally- funded civilian science, technology development, and engineering resources through nine major multi program laboratories, 11 single-program laboratories, and a wide range of special technology centers and smaller special-mission laboratories critical to U.S. industry's global competitiveness.

DOE is the leading federal agency in patent applications with more than 2,000 from 1990 to 1994. It is the leading agency in licenses granted, with more than 400 during the same period. In 1995, when the federal government won 42 R&D 100 Awards, 32 of these went to DOE. (R&D 100 Awards are bestowed annually in recognition of the nation's most important inventions.)

DOE has tremendous scientific and technological resources 30,000 scientists and engineers, including 58 Nobel Prize winners, at facilities with a capital value of \$30 billion. These resources help U.S. industry compete in the global economy.

## **RESEARCH AND DEVELOPMENT BENEFITS TO U.S. TAXPAYERS AND THE FEDERAL GOVERNMENT**

Over the past half century, DOE's laboratories and technology centers have developed a vast amount of technology expertise that enhances the security and prosperity of the United States. Their capabilities may be fully accessed by federal customers. Government agencies may share technology and can avoid

"reinventing the wheel," resulting in significant savings to taxpayers. Access to these technologies can add to the overall U.S. technology base and enhance the U.S. posture in the competitive global marketplace.

The DOE Work for Others program serves as a bridge connecting all of the country's research communities universities, industries, and federal, state, and local governmental agencies. By linking these organizations, the laboratories and technology centers contribute to the cross-fertilization of ideas and R&D approaches among the nation's researchers.

The program enables federal customers to:

- employ top-level scientific and engineering capabilities,
- advance critical technologies,
- realize cost savings by using existing technologies and facilities, and
- obtain solutions to difficult problems.

The country benefits by enabling DOE to:

- share technologies and expand access to unique technologies, facilities, services, and technical expertise,
- make R&D technology that originates in DOE facilities available for further development or commercialization,
- apply technological advances to DOE programs, and
- enhance skills, expertise, and technologies for ongoing and future DOE programs.

## **HOW TO ACCESS THE DEPARTMENT OF ENERGY**

### **EARLY INTERACTION**

DOE encourages its laboratories and technology centers to present scientific and technical information to federal customers. This collaborative policy maximizes the synergistic benefits of sharing technology and research findings throughout the U.S. government to solve national problems while conserving technical and financial resources.

DOE authorizes its laboratories to represent DOE when conducting discussions on research and technical assistance with federal customers. DOE also permits its laboratories to respond to Broad Agency Announcements (BAAs), but they may not respond to U.S. Government Requests for Proposals (RFPs).

Federal customers may receive information on DOE research and technical capabilities through some of the following methods:

- peer-reviewed publications, such as refereed scientific, technical, or engineering journals,

- routine publicity announcements,
- technical brochures and/or technical presentations,
- technical capability statements or White Papers covering DOE's unique expertise and specialized facilities,
- Internet-style electronic announcements,
- annual or periodic formal publications, such as the R&D 100 Awards list, and
- distribution of federal customers' literature, reports, and analyses.

## **PROPOSAL DEVELOPMENT**

### **Forming the Relationship**

After the initial dialogues, the federal customer may perceive benefits in a joint problem-solving venture. This informal conceptual agreement is created to serve as the foundation for developing a relationship to meet the federal customer's technological needs.

### **DOE Involvement**

After reviewing and understanding the preliminary technology requirements of the federal customer, the DOE laboratory or technology center prepares a draft Statement of Work or Research Proposal with estimated costs.

DOE is required by policy to determine that the work for a federal partner is compatible with DOE missions, will not adversely impact current DOE programs, will not place a detrimental future burden on DOE resources, and is not in direct competition with the U.S. domestic private sector. The formal technical proposal sent to the federal customer will include the DOE administrative requirements.

### **Federal Customer Involvement**

Once the federal customer receives the DOE technical proposal, the federal customer may choose to fund the project, fund parts of the project, defer the activity to a later date (e.g., to obtain further funds or to receive a higher agency approval), or stop all activity.

When the federal customer determines there is a need for DOE laboratory or technology center assistance to meet agency mission requirements, the customer will forward a funding document to DOE. The funding document references the technical proposal, establishes the work performance period, and must be consistent with DOE administrative requirements.

### **DOE Project Acceptance**

Upon receipt of the federal customer's funding document, the proposed work is reviewed to ensure it is compatible with the technical proposal, consistent with the appropriate legal authority, and can be executed in the requested time frame. DOE accepts the customer's funding document by co-signing the document and thereby "obligating" the customer's funds.

DOE then assigns the technical task to the DOE laboratory or technology center, commits the funds, and

authorizes the laboratory or technology center to start work.

## **RESPONSIBILITIES**

### **Federal Customer**

- Cites appropriate legislative authority for the work to be done (usually the Economy Act),
- Certifies to the best of their knowledge that the work will not place DOE and its contractor in direct competition with the domestic private sector,
- Monitors the technical performance of the DOE laboratory or technology center to ensure it meets project scope, technical requirements, schedule commitments, and cost performance,
- Informs DOE of any potential areas of concern,
- Reimburses DOE when invoiced,
- Reviews and accepts technical deliverables, and
- Cooperates in project closeout procedures.

### **Department of Energy**

- Accepts funding from the federal customer covering the approved project,
- Ensures compliance with DOE policies and procedures,
- Resolve issues between the customer and the laboratory if problems arise, and
- Monitors the laboratory or technology center's performance.

### **DOE Laboratory or Technology Center**

- Performs the project authorized by DOE according to the terms of its M&O contract and DOE administrative procedures,
- Defines the best approach to technical challenges to achieve best value,
- Ensures federal customer's milestones and deliverables are met,
- Provides periodic program status reports and financial cost information to the customer,
- Informs the customer of any technical or programmatic difficulties that may delay a project,
- Informs the customer and DOE of any potential areas of concern, and
- Cooperates in project closeout procedures.

## **PROJECT FINANCING**

Based on statutory requirements, DOE will recover all direct and indirect costs associated with project performance.

Generally, reimbursable agreements will provide for full funding of projects to be completed in the current fiscal year. For projects that cross fiscal years, full funding for the current fiscal year plus the first three months of the subsequent fiscal year is needed to ensure continuity.

DOE and/or its laboratory or technology center will provide timely reports including reports on funding receipts and expenditures.

## **INTELLECTUAL PROPERTY RIGHTS**

Unless otherwise negotiated, patent rights and copyrights are determined by the individual laboratory or technology center's M&O contract.

## **OTHER CONSIDERATIONS**

### **PROPERTY/EQUIPMENT**

For permanent construction at DOE facilities, title passes to DOE upon completion of construction and its acceptance by DOE. Equipment acquired for the project is accounted for and maintained during the term of the agreement in a manner similar to that used for DOE property. When the agreement terminates, equipment will be disposed of as previously agreed or as instructed by the customer. This equipment may be delivered to the customer's location, transferred to DOE, or declared excess in accordance with federal government property regulations.

### **ENVIRONMENT, SAFETY, AND HEALTH**

Each project is conducted in compliance with applicable environment, safety, and health statutes, regulations, and standards. DOE has the authority to stop work if applicable requirements are not met.

### **SUBCONTRACTING**

DOE laboratories or technology centers may subcontract selected portions of the work. In these cases, selection of the subcontractor and the work to be subcontracted is made by the laboratory or technology center. The subcontracted work must be in direct support of the laboratory or technology center, not the federal customer. The customer may not designate either the subcontractor to be used or the portions of the work to be subcontracted.

### **SECURITY CLASSIFICATION GUIDANCE**

For work involving classified information, DOE and its laboratory or technology center classification staff will act with the customer to develop appropriate classification guidance. Classified work may not commence until the appropriate classification guidance is available and considered adequate for the project.

## **REFERENCES**

The following federal policies are applicable to all federal agencies. DOE will accept other statutory authority references as applicable.

## STATUTORY

1. Atomic Energy Act of 1954, as amended (42 USC 2011), authorizes the conduct of R&D and training activities for non DOE entities, provided private facilities or laboratories are inadequate for that purpose. It authorizes such charges as may be appropriate for the conduct of those activities.
2. Economy Act of 1932, as amended (31 USC 1535), authorizes an agency to place orders for goods and services with another government agency when the head of the ordering agency determines that it is in the best interest of the government and decides ordered goods or services cannot be provided as conveniently or cheaply by contract with a commercial enterprise.

## FEDERAL ACQUISITION REGULATION AUTHORITY

1. FAR 6.002, Limitations, mandates that no agency shall contract for supplies or services from another agency for the purpose of avoiding the requirements of competition.
2. FAR 17.504(e), Interagency Acquisitions Under the Economy Act, establishes procedures for a federal agency to place work with another federal agency for supplies or services that the servicing agency may be in a position or equipped to supply, render, or obtain by contract if it is determined by the head of the requesting agency, or designee, that it is in the government's interest to do so.
3. FAR 17.6, Management and Operating (M&O) Contractors, prescribes policies and procedures for M&O contracts for the Department of Energy and any other agency having requisite authority. The business firm that performs under an M&O contract is established to perform tasks assigned by DOE and does not perform any commercial work.
4. FAR 35.017, Federally Funded Research and Development Centers (FFRDCs), establishes government-wide policies for the establishment, use, review, and termination of federally funded research and development centers. An FFRDC may perform for other than the sponsoring agency under the Economy Act, or other applicable legislation, when the work is not otherwise available from the private sector.

## U.S. DEPARTMENT OF ENERGY LABORATORIES AND TECHNOLOGY CENTERS

<i>Multi Program Laboratories</i>	<i>Major Single-Program Laboratories</i>
Argonne National Laboratory Brookhaven National Laboratory Idaho National Engineering and Environmental Laboratory Lawrence Berkeley National Laboratory Lawrence Livermore National Laboratory Los Alamos National Laboratory <a href="#">Oak Ridge National Laboratory</a> Pacific Northwest National Laboratory Sandia National Laboratories	Ames Laboratory Continuous Electron Beam Accelerator Facility Fermi National Accelerator Laboratory Morgantown Energy Technology Center National Renewable Energy Laboratory Oak Ridge Institute of Science and Education Pittsburgh Energy Technology Center Princeton Plasma Physics Laboratory Savannah River Technology Center Stanford Linear Accelerator Center Westinghouse Hanford Company

***Other Laboratories and Technology Centers***

Bartlesville Project Office  
 Bates Linear Accelerator Center  
 Energy Technology Engineering Center  
 Environmental Measurements Laboratory  
 Inhalation Toxicology Research Institute  
 Kansas City Plant  
 Mound Facility  
 National Institute for Petroleum and Energy Research  
 New Brunswick Laboratory  
 Notre Dame Radiation Laboratory  
[Oak Ridge Center for Manufacturing Technology](#)  
 Pantex Plant  
 Pinellas Plant  
 Rocky Flats Plant  
[Savannah River Ecology Laboratory](#)  
 Stanford Synchrotron Radiation Laboratory  
[Y-12 National Security Complex](#)

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**Note: The Y-12 National Security Complex has been added to the contact list with the approval of the Department of Energy-Oak Ridge Operations Office on May 7, 1996.**

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## Work for Others Contacts

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Mike Furey <b>Brookhaven National Laboratory</b> P. O. Box 5000, Building 460	Ken Algiene <b>National Renewable Energy Laboratory</b> Building 17/3 1617 Cole Boulevard	Bill Lovejoy <b>Sandia National Laboratories</b> P. O. Box 5800, MS 0163 Albuquerque, NM 87185

Upton, NY 11973-5000 516/282-2103 516/282-3729 (fax) @bnl.gov	Golden, CO 80401 303/275-3017 303/275-3040 (fax) ken_algiene@nrel.gov	505/844-3911 505/844-0844 (fax) wclovej@sandia.gov
John Venard <b>Fermi National Accelerator Laboratory</b> P. O. Box 500, MS-200 Batavia, IL 60510 630/840-3333 630/840-8752 (fax) venard@fnal.gov	Janice R. Grindstaff <b>Oak Ridge Associated Universities/ Oak Ridge Institute for Science and Education</b> P. O. Box 117 (MS 26) Oak Ridge, TN 37830 865/241-4437 865/241-6718 (fax) grindstj@ornl.gov	Karen Azzarro <b>DOE Savannah River</b> Office of Community Outreach P. O. Box A Aiken, SC 29802  803/725-0444 803/725-5103 (fax)
Chuck Briggs <b>Idaho National Engineering and Environmental Laboratory</b> P. O. Box 1625 Idaho Falls, ID 83415-3805 208/526-0441 208/526-0876 (fax) cwb@inel.gov	Alan Updike <a href="#">NNSA Kansas City Plant</a> P. O. Box 419159 Kansas City, MO 64141-6150 (816) 997-2605 (phone) (816) 997-4094 (fax) alan.updike@nnsa.doe.gov aupdike@kcp.com	Dick Fuendeling <b>Stanford Linear Accelerator Center</b> P. O. Box 4349 Stanford, CA 94309 415/926-2211 415/926-4999 (fax) karenk@slacvm.slac.stanford.edu
Rick Inada <b>Lawrence Berkeley Laboratory</b> Technology Transfer Department One Cyclotron Road, MS-90-1070 Berkeley, CA 94720 510/486-5882 510/486-4386 (fax) rminada@lbl.gov	Edward B. Harris <a href="#">Oak Ridge National Laboratory</a> P. O. Box 2008 Oak Ridge, TN 37831-6396 865/574-9931 865/576-7192 (fax) harriseb@ornl.gov	<a href="#">Y-12 National Security Complex</a> P. O. Box 2009 Oak Ridge, TN 37831-8084 800/356-4USA 865/576-5925 (fax) 4USA@ornl.gov

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The information owner is listed below if you have questions, comments, or suggestions. An e-mail form is provided with the appropriate links for your convenience. Please include title, URL, or other document descriptor in your message.

Contact: David W. Bradford, <mailto:fdb@ornl.gov>

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